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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,797	08/25/2003	Akihiro Matsuya	00862.023188.	1223

5514   7590   12/23/2008
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EXAMINER
GELAGAY, SHEWAYE

ART UNIT	PAPER NUMBER
2437	

MAIL DATE	DELIVERY MODE
12/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 October 2008*.

2a) ☐ This action is **FINAL**.　　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7 and 10* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7 and 10* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

10/15/08 has been entered.

2.   Claims 1-3, 6-7 and 10 have been amended. Claims 1-7 and 10 are pending.

Response to Arguments

1.   Applicants arguments filed October 15, 2008 have been considered but are moot

in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 6-7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Berson et al. (hereinafter Berson) U.S. Patent Number 6,938,154 in view Rublee et

al. (hereinafter Rublee) US 2003/0043416 and in view of Endoh US 2002/0042880.

As per claims 1, 7 and 10:

Berson teaches an authentication method of an image processing system in which a host computer, an authentication apparatus and an image processing apparatus are connected to a network, the method comprising:

a first request step of, at the host computer, issuing a request for authentication to the image processing apparatus when the host computer remotely operates the image processing apparatus; (col. 4, line 26-col. 5, line 3)

a reception step of, at the host computer, receiving from the image processing apparatus in case where the host computer is authenticated in response to the request step; (col. 4, line 26-col. 5, line 3)

a remote operation step of, at the host computer, remotely operating the image processing apparatus in accordance with the operation level authenticated in the authentication step. (col. 4, line 26-col. 5, line 3)

Berson does not explicitly disclose transmitting data specifying the authentication apparatus; a second request step of, at the host computer, issuing a request for the authentication process to the authentication apparatus based on the data transmitted at the transmission step, wherein the authentication process is to authenticate an operation level of the remote operation performed by the host computer; and performing the authentication process in response to the request step. Rublee in analogous art, however, teaches transmitting data specifying the authentication apparatus; a second request step of, at the host computer, issuing a request for the authentication process to the authentication apparatus based on the data transmitted at the transmission step; and performing the authentication process in response to the request step. (page 3, pp.

25-29) Therefore, it would have been obvious to one ordinary skill in the art at the time

the invention was made to modify the system disclosed by Berson with Rubelee in order

to provide an authentication means that to authenticate the apparatus on the network by

accepting information identifying a user of the apparatus. (page 1, pp. 8; Rublee)

Both references do not explicitly disclose the authentication process to

authenticate an operation level of the remote operation performed by the host computer.

Endoh in analogous art, however, discloses authentication process to authenticate an

operation level of the remote operation performed by the host computer. (page 6, pp.

99-109) Therefore, it would have been obvious to one ordinary skill in the art at the time

the invention was made to modify the system disclosed by Berson and Rubelee with

Endoh in order to check use permission of the user. (page 1, pp. 5; Endoh)

As per claim 6:

The combination of Berson, Rublee and Endoh teaches all the subject matter as

discussed above. In addition Berson further discloses a method wherein the operation

with respect to the information is at least one of download, browsing, printing, and

transfer. (col. 4, lines 26-35)

4.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et

al. (hereinafter Berson) U.S. Patent Number 6,938,154 in view Rublee et al. (hereinafter

Rublee) US 2003/0043416 and in view of Endoh US 2002/0042880 and further in view

of US Publication Number 2003/0163730 and in view of Matasushima U.S. Patent

Number 7,117,493.

As per claim 2:

The combination of Berson, Rublee and Endoh teaches all the subject matter as discussed above. None of the references explicitly disclose wherein the transmission step add-on software including the data is transmitted to the host computer, and in said authentication step the authentication process is executed by the add-on software. Matasushima in analogous art, however, discloses wherein the transmission step add-on software including the data is transmitted to the host computer, and in said authentication step the authentication process is executed by the add-on software. (col. 4, lines 1-31; col. 8, lines 38-55) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Berson, Rublee and Endoh with Matasushima in order to have a system to legitimately and efficiently acquire and execute software after the image processing device is activated. (col. 1, lines 45-54; Matasushima)

5.   Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et al. (hereinafter Berson) U.S. Patent Number 6,938,154 in view Rublee et al. (hereinafter Rublee) US 2003/0043416 and in view of Endoh US 2002/0042880 in view of Matasushima U.S. Patent Number 7,117,493 and further in view of Okazaki et al. (hereinafter Okazaki) U.S. Patent Number 7,158,657.

As per claims 3-4:

The combination of Berson, Rublee, Endoh and Matasushima teaches all the subject matter as discussed above. None of the references explicitly disclose a method wherein the authentication process is performed using a dictionary which defines codes stored in the host computer and operations with respect to the image processing

apparatus. Okazaki in analogous art, however, discloses wherein the authentication

process is performed using a dictionary which defines codes stored in the host

computer and operations with respect to the image processing apparatus. (figure 23,

item 114; col. 18, lines 25-28) Therefore it would have been obvious to one ordinary skill

in the art to modify the method disclosed by Berson, Rublee, Endoh and Matasushima

with Okazaki in order to collate the operations with registered operation in the

authentication server. (col. 1, lines 45-54; Matasushima)

6.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et

al. (hereinafter Berson) U.S. Patent Number 6,938,154 in view Rublee et al. (hereinafter

Rublee) US 2003/0043416 and in view of Endoh US 2002/0042880 in view of

Matasushima U.S. Patent Number 7,117,493 and further in view of Okazaki et al.

(hereinafter Okazaki) U.S. Patent Number 7,158,657 and Roskind et al. (hereinafter

Roskind) US Publication Number 2003/0163730.

As per claim 5:

        The combination of Berson, Rublee, Endoh, Matasushima and Okazaki teaches

all the subject matter as discussed above. None of the references explicitly disclose

wherein the data is an address of the authentication apparatus on the network is

determined by add-on software. Roskind in analogous art, however, teaches wherein

the data is an address of the authentication apparatus on the network is determined by

add-on software. (page 3, paragraph 31) Therefore, it would have been obvious to one

ordinary skill in the art at the time the invention was made to modify the system

disclosed by Berson, Rublee, Endoh, Matasushima and Okazaki with Roskind in order

to have a distributed authentication system with relatively small size of authentication database. In this way, the user's detailed authentication information is stored only in one participant server's authentication database. (page 3, paragraph 31; Roskind)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEWAYE GELAGAY whose telephone number is (571)272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. G./
Examiner, Art Unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437